

Eugene Nicholas Ermilo Santos

Vs

Johnson & Wales University

Re: Complaint No. 01-20-2199 Johnson and Wales University Complaint No. 01-20-4042 Warwick Police Department Dear Eugene Nicholas Ermilo Santos: This letter is to notify you that the U.S. Department of Education (Department), Office for Civil Rights (OCR) has completed its evaluation of the above-referenced complaints you filed against Johnson and Wales University (University) and the Warwick Police Department. You allege that the University retaliated and discriminated against you on the bases of race, sex, disability, age, and because you may be affiliated with the Boy Scouts. Specifically, you allege that in 2007, a University orientation leader sexually assaulted you (Allegation 1). In addition, you allege that after leaving the University in 2009 and returning in 2017, the University expelled you in 2018 following a series of disputes with the University related to the University's accusation that you were "manic," which resulted in your forced hospitalization for mental health issues (Allegation 2). You also allege a range of other issues that occurred while you were a student at the University, including that University staff made fun of you for being transgender (Allegation 3). You also allege that the University discriminated and retaliated against you when the University filed a lawsuit against you in 2018, and as a part of this ongoing lawsuit you were served a court summons in January 2020 (Allegation 4). Finally, you allege that in November 2019, an officer from the Warwick Police Department assaulted you and called you a "faggot" (Allegation 5). 1

**REPORT AND RECOMMENDATION FOR SUMMARY DISMISSAL PURSUANT TO 28 U.S.C. § 1915(e) Lincoln D. Almond, United States Magistrate Judge Background**

**Eugene Nicholas Ermilo Santos**

**8/17/2020 12:03PM**

***Eugene Nicholas Ermilo Santos***

**Due to the amount of harm I believe this case would cause the Defendants, I am hereby dismissing this case, "As you know, the Appeals Court issued a decision dismissing your appeal, As a result, I filed a petition for further appellate review to the Supreme Judicial Court, the highest state court in Massachusetts, As of today, I have not heard from the Supreme Court"**

If you have any questions, please do not hesitate to contact

Eric W. Ruben

Attorney At Law

867 Boylston Street

Boston, MA 02116

+1-857-362-8093

[ericrubenlaw@gmail.com](mailto:ericrubenlaw@gmail.com)

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ericrubenlaw@gmail.com

Summary: August 26<sup>th</sup> 2020 Decision

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Clery/MEC/OCR Reference 01-20-4042/ OCR Reference 01-20-2199, OCR Reference 01-20-2236

Please be advised that the University must not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a law enforced by OCR.

If this happens, the individual may file a retaliation complaint with OCR. Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request.

U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202. If submitted via email, send to [OCR@ed.gov](mailto:OCR@ed.gov); if submitted via fax, please send to 202- 453-6012. The filing date on an appeal is the date the appeal is postmarked, submitted electronically or submitted via fax.

Clery Group Contacted August 10<sup>th</sup> 2020 , Allegation Filed Against Campus On 8/10/2020